

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist of cottonseed oil and to be short measure.

Adulteration of the article was alleged in the information for the reason that a substance, to wit, cottonseed oil, had been mixed and packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Olio Puro D'Oлива Lucca Italy, Net Contents Full Gallon, Olio Puro D'Oлива Gar-
antito Produzione Propria," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, and that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 full gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil, and was not a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, a product produced in the United States of America, and each of said cans did not contain 1 full gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was a product manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that, by the statements on the label, it purported to be a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 2, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$30.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6945. Adulteration and misbranding of olive oil. U. S. * * * v. Nickitas P. Economou and Nicholas Theodos (N. P. Economou & Theodos). Pleas of guilty. Fine, \$30. (F. & D. No. 9439. I. S. No. 13659-r.)

On April 29, 1919, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Nickitas P. Economou and Nicholas Theodos, copartners, trading as N. P. Economou & Theodos, New York, N. Y., alleging shipment by said defendants, in violation of the Food and Drugs Act, as amended, on August 13, 1918, from the State of New York into the State of Connecticut, of a quantity of an article, labeled in part "E & T Brand Pure Olive Oil," which was adulterated and misbranded.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed it to consist of a mixture of cottonseed oil and corn oil and to be short measure.

Adulteration of the article was alleged in the information for the reason that certain substances, to wit, cottonseed oil and corn oil, had been mixed and

packed therewith so as to lower and reduce and injuriously affect its quality and strength, and had been substituted in part for pure olive oil, which the article purported to be.

Misbranding of the article was alleged for the reason that the statements, to wit, "Pure Olive Oil," borne on the case, and "La Regina Del' Olio A Lucca, One Gallon Net," borne on the cans containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article was olive oil, that it was a foreign product, to wit, an article produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure olive oil, that it was a foreign product, to wit, an olive oil produced in Lucca, in the kingdom of Italy, and that each of said cans contained 1 gallon net of the article, whereas, in truth and in fact, it was not pure olive oil, but was a mixture composed in part of cottonseed oil and corn oil, and was not a foreign product, to wit, an article produced in Lucca, in the kingdom of Italy, but was a domestic product, to wit, an article produced in the United States of America, and each of said cans did not contain 1 gallon net of the article, but contained a less amount; and for the further reason that it was falsely branded as to the country in which it was manufactured and produced, in that it was an article manufactured and produced in whole or in part in the United States of America, and was branded as manufactured and produced in Lucca, in the kingdom of Italy; and for the further reason that it was a mixture composed in part of cottonseed oil and corn oil prepared in imitation of olive oil, and was sold under the distinctive name of another article, to wit, olive oil; and for the further reason that the article, by the statements, designs, and devices on the labels, purported to be a foreign product, when not so. Misbranding of the article was alleged for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 14, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$30.

C. F. MARVIN, *Acting Secretary of Agriculture.*

6946. Adulteration of tomato pulp. U. S. * * * v. William B. Mantik and Frank Mantik (Mantik Packing Co.). Pleas of guilty. Fine, \$60 and costs. (F. & D. No. 9442. I. S. Nos. 2847-p, 3016-p.)

On March 28, 1919, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William B. Mantik and Frank Mantik, copartners, trading as the Mantik Packing Co., Baltimore, Md., alleging shipment by said defendants, in violation of the Food and Drugs Act, on or about October 13, 1917, and March 22, 1918, from the State of Maryland into the State of Pennsylvania, of quantities of tomato pulp which was adulterated.

Examination of samples of the article by the Bureau of Chemistry of this department showed the pulp in each instance to be decomposed.

Adulteration of the article in each shipment was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On March 28, 1919, the defendants entered pleas of guilty to the information, and the court imposed a fine of \$60 and costs.

C. F. MARVIN, *Acting Secretary of Agriculture.*